

THE OFFICE ACTION

In the Office Action issued on May 24, 2005, the Examiner rejected claims 1, 3-5, and 12-17 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,902,534 to Fujishiro et al. ("Fujishiro"). The Examiner further rejected claims 1-26 under 35 U.S.C. §103(a) as being unpatentable over Fujishiro in view of U.S. Patent Nos. 4,414,173 to Cobbledick et al. ("Cobbledick") and 6,180,043 to Yonemochi et al. ("Yonemochi"). Claims 1-17 and 19-26 remain pending in the application.

REMARKS

The Applicants have carefully considered the Office Action mailed May 24, 2005. The independent claims have been amended to recite that the coating composition to be subsequently cured comprises a saturated aliphatic polyester urethane intermediate, a saturated (cyclo) aliphatic (meth) acrylate, one or more hydroxy alkyl (meth) acrylates, a polyacrylate ester of an alkylene polyol, one or more vinyl substituted aromatics, and an initiator capable of generating free radicals.

Fujishiro fails to disclose or suggest such a coating composition. That is, Fujishiro only discloses as a coating material those materials listed on page 11, lines 47-67 and the components listed in Example 1 (col. 27). In neither of these places does Fujishiro recite the use of the 6 components in the subject coating composition, including a vinyl substituted aromatic component. Thus, Fujishiro fails to anticipate or suggest the claimed invention.

Likewise, a proposed combination of Fujishiro, Cobbledick, and Yonemochi also fails to render the present claims unpatentable. First, with respect to Yonemochi, this reference fails to disclose the claimed six components in the coating composition. That is, Yonemochi discloses a coating composition with at most three of the claimed components. With more particularity, Yonemochi discloses a coating composition comprising 20 – 70% of a first vehicle component of an oligomer having at least two (meth)acrylate groups and 80 – 30% of a second component comprising an ethylenically unsaturated monomer (col. 2, lines 29-43). Table 1 also lists various coating materials (A-D). As can be seen quite clearly, none of these coating materials have all the components recited in the present claims. Thus, even assuming the propriety of combining Yonemochi with Fujishiro, such a combination would still not disclose or suggest the present coating composition.

With respect to Cobbledick, there is no motivation to combine the teachings of

this reference with either Fujishiro or Yonemochi. In this regard, Cobbledick is directed to an in-mold coating for *compression* molded fiber-reinforced *thermosetting* plastic (see background and col. 6, lines 40-68). It has absolutely no applicability to the coating of injection molded non-fiber reinforced thermoplastic resins (such as polyolefins). Despite the Examiner's statement to the contrary, there is absolutely no suggestion that one skilled in the art would be motivated to combine the coating composition of Cobbledick with the process of Fujishiro or Yonemochi.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-17, and 19-26) are now patentable and the application is in condition for allowance. Early notification of such allowance is respectfully requested.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned to attempt to resolve any such issues.

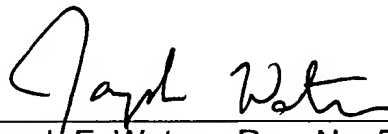
If any fee is due in conjunction with the filing of this Response, Applicants authorize deduction of that fee from Deposit Account 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

Date: _____

Aug 27, 2005



Joseph E. Waters, Reg. No. 50, 427
Scott A. McCollister, Reg. No. 33,961
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114-2518
216.861.5582